

Message Text

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72

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 IO-13 SIL-01 LAB-06 SS-15

L-03 H-03 PA-03 PRS-01 USIA-15 OMB-01 TRSE-00 RSR-01

/119 W

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R 201814Z JUL 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 6429

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

USMISSION BERLIN

AMCONSUL FRANKFURT

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

FAA BRUSSELS

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E.O. 11652: N/A

TAGS: ETRN, GW

SUBJECT: CIVAIR - FRG AIR TRAFFIC CONTROLLERS'

SLOWDOWN: CHARTER TRAFFIC RESTRICTIONS

REF: (A) BONN 9925; (B) BONN 8609

1. THE ATC SLOWDOWN IN THE FRG CONTINUES IN ITS EIGHTH WEEK WITH DELAYS, CHIEFLY ON FRG DOMESTIC SERVICES, OF UP TO TWO HOURS. LUFTHANSA DOMESTIC SCHEDULES HAVE BEEN REDUCED FURTHER FROM THE 75 PERCENT LEVEL REPORTED EARLIER TO ABOUT 30 PERCENT OF NORMAL. FURTHERMORE, DOMESTIC SERVICE PASSENGER LOAD FACTORS HAVE DROPPED

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FROM AN AVERAGE OF AROUND 80 PERCENT TO 15-20 PERCENT

AS MORE AND MORE TRAVELERS HAVE TURNED TO TRAINS AND CARS. LUFTHANSA ESTIMATES ITS LOSS IN REVENUES FROM THE BEGINNING OF THE SLOWDOWN THROUGH JUNE 30 AT ABOUT DM 50 MILLION. THE DOMESTIC ROUTES STILL OPERATED SERVE CHIEFLY AS A CONNECTING NETWORK FOR INTERNATIONAL SERVICES BY LUFTHANSA AND OTHER CARRIERS. THESE HAVE BEEN MAINTAINED AT A MORE OR LESS NORMAL LEVEL. THE FRG/BERLIN SERVICES AND MILITARY FLIGHTS HAVE CONTINUED TO OPERATE WITH A MINIMUM OF DELAYS.

2. THE COURTS HAVE NOT YET ACTED UPON THE APPEAL OF THE ATC CONTROLLERS ASSOCIATION AGAINST THE INJUNCTION SOUGHT BY THE FRG. MEANWHILE, MINISTER OF TRANSPORT LAURIZTEN HAS VISITED ATC CONTROLLERS AT MAJOR FRG AIRPORTS TO DISCUSS THEIR SITUATION AND TO URGE THEM TO KEEP ON WORKING. THE GOVERNMENT STRATEGY AT THIS POINT IS TO WAIT OUT THE CONTROLLERS, AT LEAST UNTIL THE EXPECTED COURT DECISION NEXT WEEK, RATHER THAN TO TAKE MORE DRASTIC MEASURES.

3. REGARDING THE DISCRIMINATORY ASPECT OF THE RESTRICTIONS ON CHARTER TRAFFIC INTRODUCED AT THE BEGINNING OF THE SLOWDOWN AND THE EMBASSY'S MEETING WITH ASST. SECRETARY LAUTENSCHLAGER (REFTEL B), THE FONOFF (DIETRICH) PASSED SOME PRELIMINARY COMMENTS FROM THE FMT TO THE EMBASSY ON JULY 18. THESE COMMENTS, AS THE EMBASSY CAA INDICATED ON THE SPOT TO DIETRICH, WERE ENTIRELY UNSATISFACTORY. THEY WERE LIMITED TO FLAT REASSERTIONS THAT THE RESTRICTIONS WERE NEITHER IN VIOLATION OF ARTICLE 15 OF THE CHICAGO CONVENTION NOR ARTICLE 8 OF THE US/FRG BILATERAL, AND THAT THEY COULD NOT BE DISCRIMINATORY BECAUSE THEY APPLIED EQUALLY TO ALL CARRIERS. EMBASSY CAA REVIEWED THE ENTIRE MATTER WITH DIETRICH (HE HAS BEEN ON LEAVE THE LAST FEW WEEKS) WHO SEEMED TO UNDERSTAND THE US POSITION. HE IMMEDIATELY CALLED THE TRANSPORT MINISTRY LEGAL ADVISER TO REPORT OUR DISSATISFACTIONS WITH THE FMT'S COMMENTS AND TO URGE THAT THE FMT AT LEAST PROVIDE THE FONOFF WITH SOME MORE FORTHCOMING VIEWS. THE EMBASSY WILL CONTINUE TO PUSH FOR A MODIFICATION OF THE LIMITED OFFICIAL USE

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RESTRICTIONS WHICH WILL ELIMINATE THEIR DISCRIMINATORY ASPECT BUT WE DO NOT PLAN TO ESCALATE OUR REPRESENTATIONS AT THIS TIME, GIVEN THE CONTINUING DISASTROUS FRG AIR TRANSPORT SITUATION.
HILLENBRAND

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